



Promoting the wise use of land

**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

SUBDIVISION REVIEW BOARD

MEETING DATE May 5, 2015	CONTACT/PHONE Schani Siong (805) 781-4374 ssiong@co.slo.ca.us	APPLICANT Tom Hilliard	FILE NO. CO 12-0065 SUB2013-00070
SUBJECT Hearing to consider a request by Tom Hilliard for a Tentative Parcel Map (CO12-0065) to subdivide an existing approximately 5 acre parcel into two parcels of 2.5 acres and 2.5 acres each for the purpose of sale and/or development. The proposed project is located within the Residential Suburban land use category at 14284 Sandoval Road approximately 0.3 miles south from the Sandoval Road and Santa Clara Road intersection and approximately 1.1 miles southeast from the City of Atascadero. The site is in the Salinas River sub-area of the North County planning area.			
RECOMMENDED ACTION Approve Tentative Parcel Map CO 12-0065 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION A General Rule Exemption was issued on April 1, 2015 (ED14-178)			
LAND USE CATEGORY Residential Suburban	COMBINING DESIGNATION N/A	ASSESSOR PARCEL NUMBER 059-181-049	SUPERVISOR DISTRICT(S) 5
PLANNING AREA STANDARDS: 22.94.080B City of Atascadero Planning Impact Area, 22.94.082H – Residential Suburban			
LAND USE ORDINANCE STANDARDS: 22.22.070 - Subdivision Design Standards (Residential Suburban), 22.10.140 - Setbacks, 22.24.080 -Transfer of Development Credits, 22.10.120 - Noise Standards			
EXISTING USES: Single family residence and detached garage			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Suburban /Residences <i>East:</i> Residential Suburban /Residences <i>South:</i> Residential Suburban /Residences <i>West:</i> Residential Suburban /Residences			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Santa Margarita Advisory Council, Public Works, Environmental Health, County Parks, City of Atascadero			
TOPOGRAPHY: Level to gently rolling		VEGETATION: Grasses, ornamental landscaping	
PROPOSED SERVICES: Water supply: Community system & individual well Sewage Disposal: Septic system Fire Protection: Cal Fire		ACCEPTANCE DATE: February 18, 2015	
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242			

PLANNING AREA STANDARDS

Salinas River Sub-area of the North County Planning Area.

Residential Suburban

Section 22.94.080H establishes the following standards for the Residential Suburban land use category:

1. Minimum Parcel Size – Atascadero Colony. For new land divisions, the maximum number of residential lots allowed shall be computed on the basis of one lot per a minimum parcel size of 2.5 acres.

Staff comment: The proposed project complies with this standard. The proposed division will create two parcels of 2.5 acres each.

2. Driveway consolidation. Shared driveways are encouraged between parcels for access to individual residences to minimize the number of access points to the street.

Staff comment: The proposed project will be conditioned to meet this standard.

City of Atascadero Planning Impact Area

According to Section 22.94.080B, the proposed land division falls within the City of Atascadero Planning Impact Area and has been referred to the City of Atascadero for review and comment. No referral response was received. However staff did consider the following potential impacts: water quantity and quality, drainage, noise, traffic and circulation, public safety, and cumulative impacts as part of the environmental review process.

LAND USE ORDINANCE COMPLIANCE

Design Standards

The proposed parcels are consistent with the design criteria set forth in Chapter 3 of the Title 21 of the Real Property Division Ordinance.

Minimum Parcel Size

Section 22.22.080 of the Land Use Ordinance establishes standards for determining minimum parcel sizes in the Residential Suburban land use category. The standards are based on the topography of the site and the type of water supply and sewage disposal. Minimum parcel size is based on the largest parcel size as calculated by tests.

Staff comment: The proposed parcels are 2.5 acres each, which meet the largest parcel size test and the minimum parcel size per Salinas River Planning Area standards for Atascadero Colony. The proposed Parcel 1 is vacant and has an existing on-site well, which may be used to serve the future development on the lot. In the event that the well is not suitable for potable usage, the property owner shall connect to the Atascadero Mutual Water Company (AMWC) service by building a new water main extension along Sandoval Road to the property frontage. The existing well must be capped and not used to serve any of the two parcels. Parcel 2 consists of an existing residence, which is served by the AMWC from a meter on Carmel Road. Water from this existing water service shall only be used to serve proposed Parcel 2. (AMWC Will-Serve Letter, December 10, 2014).

TEST	STANDARD	MINIMUM PARCEL SIZE
Slope	Average slope is less than 15% (Outside GSA)	1 acre
Water Supply & Sewage Disposal	Parcel 1 (vacant) Community Water or Individual Well On-site Septic Parcel 2 (existing residence) Community Water On-site Septic	2.5 acres

Quimby Fees

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation. *Staff comment: The project is conditioned to pay the required fees.*

Inclusionary Housing Fees

Title 29, the Affordable Housing Fund, establishes an in-lieu fee to create a fund that would help to meet, in part, the housing needs of the County's very low, low, moderate income and workforce households. Section 22.12.080 of Title 22, the Land Use Ordinance, describes the options the applicant may choose to satisfy the requirement. *Staff comment: The project results only in one new parcel and will not be subject to this fee.*

Setbacks

Section 22.10.140 of the Land Use Ordinance establishes the following setback standards for properties larger than one acre within rural areas:

- Front Setback: 25 feet minimum for all structures higher than 3 feet;
- Side Setback: 30 feet minimum (3 feet minimum for accessory building/ structures)
- Rear Setback: 30 feet minimum (3 feet minimum for accessory building/ structures)

Staff comments: The proposed Parcel 1 (vacant) has adequate buildable area and the new residence will be required to meet the applicable setbacks through building permit review. The proposed Parcel 2 has an existing residence and barn, which have non-conforming side setbacks. The proposed parcel split does not affect the existing house and barn configuration, which remains equal to the existing condition.

Transfer of Development Credits

Section 22.22.020 D. and 22.24.070 B.2 of the Land Use Ordinance requires the transfer of a development credit for any land division located outside of a village or urban reserve areas.

Staff comments: The County's TDC program was adopted in 1996 as a land use planning tool which allows for the movement (transfer) of development from one parcel of land to another; from a "sending" site to a "receiving" site. The overall goal of the program is to move

development to locations that can better support it. The Board of Supervisors amended the Ordinance in 2011, adding language to require the retirement of a TDC credit for any land division (parcel map or tract map) when located outside of an urban or village reserve line. The subject site is located outside of an urban or village area and is conditioned to transfer one credit.

Section 22.24.070 B.3 of the Land Use Ordinance provides an exception to the requirement for a TDC where the Review Authority first finds that: "Retirement of credits is unnecessary due to specific circumstances applicable only to the subject site (for example if credits are not available within the area defined in Section 22.24.080)".

Section 22.24.080 requires that the source of the credits be located within the same geographical area. The "North County" geographical area is defined as sites located within Nacimiento, Adelaida, Salinas River and El Pomar-Estrella sub areas.

Staff comments: The subject site is located within the Salinas River sub area. Currently, there are credits available from an existing sending site located in the Adelaide Area which is in compliance with 22.24.080. The project has been conditioned to transfer one credit from the existing sending site in the Adelaide area. There are credits available within the North County area and staff is unable to find that there are any other circumstances which deem the credits unnecessary.

Noise Standards & County Noise Element

Section 22.10.120 establishes standards for acceptable exterior and interior noise levels and describes how noise shall be measured, consistent with the County's Noise Element. The Noise Element of the County General Plan provides policy framework within which potential future noise impacts are minimized. According to the Table 3-1 of the Noise Element, the maximum allowable exposure to transportation noise sources for residential parcels is 60 decibel for outdoor areas, and 45 decibel for interior spaces. Transportation noise sources include traffic on state highways or major roadways, railroad operations, airport operations, industrial, commercial and agricultural activities.

Staff comments: The proposed project site is located within close proximity (approximately 50 feet) to the railroad track, which is estimated to exceed the county's 60 decibel threshold for residential noise exposure. Per the County's Noise Element, the project (future residence) will be subject to standard noise mitigation measures to meet the allowable noise exposure levels during building permit review. In addition, the applicant has agreed to a 200 foot front setback for future development on Parcel 1 (vacant). This large front setback ensures the future residence will be located within the allowable 60 decibel or less noise threshold, based on the County's noise contour map.

COMBINING DESIGNATIONS

None

COMMUNITY ADVISORY GROUP COMMENTS

The Santa Margarita Advisory Council is in support of this project.

AGENCY REVIEW

Public Works - Provided recommended conditions of approval for road improvement, utility and shared access easements, and storm water management which have been included in the attached conditions of approval.

Environmental Health – Preliminary health clearance letter issued on December 24, 2014.

County Parks – Require Quimby fees

Atascadero Mutual Water Company – The District issued a preliminary intent to serve letter (Dec 10, 2014) outlining conditions for the 2-lot split. AMWC is aware of the possible on-site well usage and also prepares to serve the newly created lot (Parcel 1), if the on-site well is not viable.

Cal Fire – A Fire Review Plan was received on July 11, 2014.

LEGAL LOT STATUS:

The parent lot was legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Schani Siong and reviewed by Terry Wahler, Senior Planner.